

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 71090

David Johnson Okoire
Helen Ejije Okoire
1554 Tommy Lane
Fairfield California 94533

7940 Bank Street

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on December 2, 2009 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201 (b)(d), failure to store waste in rodent resistant containers with tight fitting lids on residential property zoned DR 5.5 known as 7940 Bank Street, 21224.

On November 24, 2009, pursuant to Baltimore County Code §3-6-205, Inspector Robert Moorefield issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. This Citation was issued without prior Correction Notice pursuant to the Department's adopted criteria, for activity that contributes to the propagation of rodents including the improper storage, placement and removal of garbage and rubbish. BCC Section 3-6-205.

B. Photographs of this investment property in the file show garbage cans with no lids, overflowing with bagged garbage. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats.

C. Because compliance is the goal of code enforcement, the civil penalty will be reduced if the violation is corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violation is corrected, with all garbage properly stored in cans with tight lids, by December 29, 2009.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 10th day of December 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

